

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 13, 2010

D057985 In re Clark on Habeas Corpus

The petition is denied.

D057984 In re Summers on Habeas Corpus

The petition is denied.

D057801 In re Batie on Habeas Corpus

For good cause shown, respondent is ordered to show cause why the relief requested should not be granted. The Clerk of the Court is directed to provide Appellate Defenders, Inc. with a copy of the petition. Appellant Defenders is directed to submit, within 10 court days, a recommendation for counsel to represent petitioner in this matter. Within 30 days after appointment of counsel, petitioner is directed to file a supplemental petition. Respondent may file a return within 30 days after the supplemental petition is filed. Petitioner may file a traverse within 20 days after the return is filed. Absent a request by the parties within 10 days after the return is filed, oral argument will be deemed waived. If a party requests oral argument, the request should be in letter form with proof of service on the other parties. The letter should also identify the focus of the party's argument and the amount of time requested, not to exceed 15 minutes.

D055709 People v. Robles, Jr.

The judgment is affirmed. Huffman, J.; We Concur: McConnell, P.J., Haller, J.

D058033 In re K.A. et al., Juveniles

This case has been reviewed by Associate Justices McDonald, O'Rourke, and Irion. The court has been advised that the juvenile court has issued a permanent restraining order. The appeal is therefore moot. The appeal is dismissed.

Court convened at 9:00 a.m.

Present: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices James McIntyre and Joan Irion

Clerk: D. Moore

D056131 In re J. F., a Juvenile

Cause called on merits. Ronald M. Bobo, Esq. argued for appellant. Scott Charles Taylor, Deputy Attorney General, argued for respondent. Mr. Bobo replied. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 13, 2010 (Continued)

D055125 People v. Reynolds

Cause called on merits. Anthony Edward Colombo, Esq. argued for appellant. Peter Quon, Deputy Attorney General, argued for respondent. Mr. Colombo replied. Cause submitted.

D056343 In re S. E., a Juvenile

D056995 In re Bill E. on Habeas Corpus

Cause called on merits. Julie Braden, Esq. argued for appellant, B.E. Gary Seiser, Deputy County Counsel, argued for respondent. Valerie Lankford, Esq. argued for appellant, S.E. Ms. Braden replied. Ms. Evans replied. Cause submitted as to D056343 only.

D055124 Agnew v. Mangini et al.

Cause called on merits. Jeffrey A. Agnew argued for appellant in pro per. Corinne C. Bertsche, Esq. argued for respondent. Mr. Agnew replied. Cause submitted.

Court recessed at 10:21 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Gilbert Nares, Acting Presiding Justice, and
 The Honorable Associate Justices Judith Haller and Terry O'Rourke
Clerk: D. Moore

D055612 People v. Johnson

Cause called on merits. Mark Devore, Esq. argued for appellant. Alana Butler, Deputy Attorney General, argued for respondent. Mr. Devore replied.

D057210 People v. Green

Cause called on merits. Patricia L. Brisbois, Esq. argued for appellant. Daniel Rogers, Deputy Attorney General, argued for respondent. Ms. Brisbois replied. Cause submitted.

D055337 People v. Gonzalez et al.

Cause called on merits. Marianne Harguindeguy, Esq. argued for appellant, Gonzalez. Gregory Marshall, Esq. argued for appellant, Ruiz. Patricia Lee Brisbois, Esq. argued for appellant, Hernandez. Nancy L. Tetreault, Esq. was present in oral argument for appellant, Coronel, and submitted on the briefs. Daniel Rogers, Deputy Attorney General, argued for respondent. Ms. Harguindeguy replied. Ms. Brisbois replied. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 13, 2010 (Continued)

Court recessed at 2:55 p.m. to change panel members.

New panel members: The Honorable Gilbert Nares, Acting Presiding Justice, and
The Honorable Associate Justices Alex McDonald and Terry O'Rourke

D055304 Smith et al. v. Byrnes et al.

Cause called on merits. Kenneth E. Lange, Esq. argued for appellant.

Cause submitted.

D056015 Raymond v. Wrobel et al.

Cause called on merits. Michael B. Poynor, Esq. argued for appellant.

Deborah L. Raymond, argued for respondent in pro per. Mr. Poynor replied.

Cause submitted.

Court recessed at 4:01 p.m. until Tuesday, September 14, 2010 at 9:00 a.m.

D058036 Fairman v. Superior Court of San Diego County/People

The petition is denied.

D057819 In re Parrison on Habeas Corpus

The petition is denied.

D055861 Regents of the University of California et al. v. Gottschalk

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 14, 2010

- D057144 In re Miranda V., a Juvenile**
The judgment is affirmed. Aaron, J.; We Concur: McConnell, P.J., McDonald, J.
- D054496 Kelman et al. v. Kramer**
Judgment affirmed. Respondents to recover their costs of appeal.
Benke, Acting P.J.; We Concur: Huffman, J., Irion, J.
- D057940 Samantha J. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner Samantha J. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 will not be filed as there are no viable issues for writ review. Counsel's request, on petitioner's behalf, for an extension of time to file a petition is denied. The case is dismissed.
- D057973 In re Marriage of Kimble**
Appellant did not timely pay the filing fee, (Cal. Rules of Court, rule 8.100(c)(3)) and has failed to timely designate the record on appeal, (Cal. Rules of Court, rule 8.121(a)). The appeal filed August 5, 2010, is dismissed.
- D057921 In re Miller on Habeas Corpus**
The petition for writ of habeas corpus has been read and considered by Presiding Justice McConnell and Associate Justices O'Rourke and Irion. We take judicial notice of petitioner's prior petition No. D057491.

Miller again contends that he is entitled to presentence custody credit. The petition is denied as repetitive of petition No. D057491. (*In re Martinez* (2009) 46 Cal.4th 945, 950, fn. 1, 956.)
- D057832 In re Rangel on Habeas Corpus**
The petition is denied.
- D058132 Jackson v. Superior Court of San Diego County/People**
The petition is denied.

Court convened at 9:00 a.m.

Present: The Honorable Richard Huffman, Acting Presiding Justice, and
 The Honorable Associate Justices Judith Haller and Alex McDonald
Clerk: D. Moore

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

September 14, 2010 (Continued)

D056796 Anderson v. Staples et al.

Cause called on merits. Richard Bain, Esq. argued for appellant. James M. Chapin, Deputy County Counsel, argued for respondent. Nancy Ganadjian, Esq. argued for respondent, Trent and etc. Guylyn R. Cummins, Esq. argued for respondent, McGraw Hill Broadcasting Co., Inc., and etc. Mr. Bain replied. Cause submitted.

Court recessed at 9:33 a.m. to change panel members.

New panel members: The Honorable Richard Huffman, Acting Presiding Justice, and
 The Honorable Associate Justices Judith Haller and Terry O'Rourke

D055453 Concordia Homes of California, LLC. V. Jack

Cause called on merits. Shannon Gallagher, Esq. argued for appellant. Darren J. Quinn, Esq. argued for respondent. Mr. Gallagher replied. Cause submitted.

Court recessed at 10:10 a.m. to change panel members.

New panel members: The Honorable Judith Haller, Acting Presiding Justice, and
 The Honorable Associate Justices Alex McDonald and Terry O'Rourke

D056397 Discovery at Cortez Hill Homeowners Association v. Noble

Cause called on merits. Frank E. Noble, Esq. argued for appellant. David Michael Peters, Esq. argued for respondent. Mr. Noble replied. Cause submitted.

Court recessed at 10:45 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Patricia Benke, Acting Presiding Justice, and
 The Honorable Associate Justices Cynthia Aaron and Joan Irion
Clerk: D. Moore

D054869 Fuller Hein Properties v. Gordon

Cause called on merits. Joseph C. Kracht, Esq. argued for appellant. Martin J. Mullen, Esq. argued for respondent. Mr. Kracht replied. Cause submitted.

D055698 People v. Gonzalez

Cause called on merits. Laura G. Schaefer, Esq. argued for appellant. William Wood, Deputy Attorney General, argued for respondent. Ms. Schaefer replied. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 14, 2010 (Continued)

D055783 Villa v. Pacific Specialty Insurance Company
Cause called on merits. Lowell F. Sutherland, Esq. argued for appellant.
Michelle L. Burton, Esq. argued for respondent. Mr. Sutherland replied.
Cause submitted.

Court recessed at 2:57 p.m. until Wednesday, September 15, 2010 at 9:00 a.m.

D057851 In re Tapia on Habeas Corpus
The petition is denied.

D058027 In re Singleton on Habeas Corpus
The petition is denied.

D057850 In re Sainz on Habeas Corpus
The petition is denied.

D058019 Gough v. Munoz
Request for permission to appeal received by this court on September 13, 2010, is denied. (Code of Civ. Proc. §391.7, subd. (b).) The appeal filed with the superior court on August 17, 2010, is dismissed.

D055705 People v. Lewis
The judgment is affirmed.
Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 15, 2010

D055547 Stonier v. Stonier

The court has received appellant's "Notice of Appeal For Rehearing En Banc or in the alternative Notice of Appeal (California Supreme Court)." This court construes appellant's "Notice of Appeal for Rehearing En Banc," as a petition for rehearing, pursuant to California Rules of Court, rule 8.268. The petition for rehearing is denied.

With respect to appellant's request "to treat this document submission as a notice of appeal to the California Supreme Court," this court lacks jurisdiction to accept filings on behalf of the California Supreme Court. Appellant is directed to consult California Rules of Court, rule 8.500 concerning the proper method by which a party may file a petition for review in the California Supreme Court, including the applicable time limitations within which such a petition must be filed.

D057821 In re Field on Habeas Corpus

The petition is denied.

D057901 In re Brown on Habeas Corpus

The petition is denied.

D058131 Metros v. Superior Court of San Diego County/Medical Board of California

The petition is denied.

Court convened at 9:00 a.m.

Present: The Honorable Gilbert Nares, Acting Presiding Justice, and
 The Honorable Associate Justices Alex McDonald and James McIntyre
Clerk: D. Moore

D056903 In re Estrada on Habeas Corpus

Matter called on merits. Stephen Michael Defilippis, Esq. argued for petitioner. Kim Aarons, Deputy Attorney General, argued for respondent. Mr. Defilippis replied. Matter submitted.

Court recessed at 9:38 a.m. to change panel members.

New panel members: The Honorable Richard Huffman, Acting Presiding Justice, and
 The Honorable Associate Justices Alex McDonald and James McIntyre

D056329 Havins v. Miranda

Cause called on merits. Jon R. Williams, Esq. argued for appellant. William J. Hatcher, Esq. argued for respondent. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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DIVISION ONE

September 15, 2010 (Continued)

D055759 Cortez et al. v. SDG&E

Cause called on merits. Jon R. Williams, Esq. argued for appellant. Harry A. Olivar, Esq. argued for respondent, SDG&E. Ethan P. Schulman, Esq. argued for respondent, CoxCom, Inc. Mr. Williams replied. Cause submitted.

D055820 Downing v. SDG&E

Cause called on merits. Patrick N. Keegan, Esq. argued for appellant. Harry A. Olivar, Esq. argued for respondent, SDG&E. Ethan P. Schulman, Esq. argued for respondent, CoxCom, Inc. Mr. Keegan replied. Cause submitted.

Court recessed at 11:05 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Richard Huffman, Acting Presiding Justice, and
 The Honorable Associate Justices James McIntyre and Joan Irion
Clerk: D. Moore

D055765 People v. Kennedy

Cause called on merits. Charles R. Khoury, Esq. argued for appellant. Scott Charles Taylor, Deputy Attorney General, argued for respondent. Mr. Khoury replied. Cause submitted.

Court recessed at 1:52 p.m. to change panel members.

New panel members: The Honorable Judith Haller, Acting Presiding Justice, and
 The Honorable Associate Justices Judith Haller and Cynthia Aaron

D055001 Dolansky v. Overton

Cause called on merits. James A. Overton argued for appellant in pro per. Shawn Dolansky argued for respondent in pro per via telephone. Mr. Overton replied. Cause submitted.

Court recessed at 2:12 p.m. to change panel members.

New panel members: The Honorable James McIntyre, Acting Presiding Justice, and
 The Honorable Associate Justices Cynthia Aaron and Joan Irion

D054493 People v. Henderson et al.

Cause called on merits. Barbara A. Smith, Esq. argued for appellant. Gerhart Wilhelm Brozio, Deputy Attorney General, argued for respondent. Ms. Smith replied. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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Court recessed at 2:44 p.m. to change panel members.

New panel members: The Honorable Judith Haller, Acting Presiding Justice, and
The Honorable Associate Justices Alex McDonald and Cynthia Aaron

D053810 People v. Torres

Cause called on merits. Carl Fabian, Esq. argued for appellant. Christine Bergman, Deputy Attorney General, argued for respondent. Mr. Fabian replied. Cause submitted.

D057229 In re K.H., a Juvenile

Cause called on merits. Lauren Kelly Johnson, Esq. argued for appellant, S.K. Julie E. Braden, Esq. argued for appellant, O.H. Susan Bookout, Esq. argued for the minor. Lisa Maldonado, Deputy County Counsel, argued for respondent. Ms. Johnson replied. Ms. Braden replied. Cause submitted.

Court recessed at 3:36 p.m. until Thursday, September 16, 2010 at 9:00 a.m.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 16, 2010

D057775 *Mallen v. Pacific Maritime Association et al.*

On September 8, 2010, this court requested that within five days appellant file a required Civil Case Information Statement, or otherwise explain why the appeal should not be dismissed for failing to comply with court rules and the requests of this court. Counsel for appellant has not responded. Respondent has filed a letter requesting the court dismiss the appeal. The matter having been considered by Presiding Justice McConnell and Associate Justices O'Rourke and Irion, the appeal is dismissed for failing to comply with court orders and file the required Civil Case Information Statement. (Cal. Rules of Court, rule 8.100(g)(3).)

D056773 *In re Elijah D. W., a Juvenile*

The findings and orders are affirmed. The matter is remanded to the trial court with directions to consider whether notice to the Cherokee Tribe is required in view of the current circumstances of the case. (§§ 224.2, 224.3, subd. (b).) The court shall advise the parents that if Elijah is determined to be an Indian child within the meaning of ICWA, they have the right to petition the court to invalidate any action in violation of 25 United States Code sections 1911, 1912 and 1913. (25 U.S.C. § 1914.) Nares, Acting P.J.; We Concur: Aaron, J., Irion, J.

D056182 *People v. Alsten*

The judgment is affirmed. Aaron, J.; We Concur: Nares, Acting P.J., McDonald, J.

D056091 *People v. Joyner*

The \$400 restitution fine (1202.4, subd. (b)) and the \$30 court security fee (1465.8) are stricken. The \$400 parole revocation fine (1202.45) is reduced to \$200. The \$200 restitution fine and the \$20 court security fee remain. The judgment is affirmed as modified. The trial court is directed to prepare an amended abstract of judgment reflecting the modification and to forward the amended abstract to the Department of Corrections and Rehabilitation. Benke, J.; We Concur: McConnell, P.J., Huffman, J.

D055783 *Villa v. Pacific Specialty Insurance Company*

The judgment is affirmed. Irion, J.; We Concur: Benke, Acting P.J., Aaron, J.

D054869 *Fuller Hein Properties v. Gordon*

The judgment is affirmed. Irion, J.; We Concur: Benke, Acting P.J., Aaron, J.

D056535 *In re Adrian G., a Juvenile*

The findings and orders are affirmed. McIntyre, J.; We Concur: McDonald, Acting P.J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 16, 2010 (Continued)

- D057226 In re Diamond R., a Juvenile**
The orders removing B.G. and Justice from Y.G.'s custody are reversed. The jurisdictional orders and the orders requiring Y.G. to participate in alcohol testing and AA meetings are affirmed.
Huffman, Acting P.J.; We Concur: Haller, J., Irion, J.
- D057930 In re Wallace on Habeas Corpus**
The petition is denied.
- D058111 In re Willis on Habeas Corpus**
The petition is denied.
- D057727 Lau v. Olguin**
On September 18, 2010, this court requested a letter brief from appellant explaining why his appeal should not be dismissed as premature because no dismissal order had been entered in the case. Appellant has not responded. The matter having been considered by Presiding Justice McConnell and Associate Justices O'Rourke and Irion, the appeal is dismissed on the ground that it is premature.
- D058149 Radelow Gittins Real Property Management Corporation et al. v. Superior Court of San Diego County/Lascola**
The petition is denied.

Court convened at 9:00 a.m.

Present: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Patricia Benke and Cynthia Aaron
Clerk: D. Moore

- D055192 San Diego Country Estates Association, Inc. v. Ward**
Cause called on merits. Edward Benito, Esq. argued for appellant.
Gregory M. Garrison, Esq. argued for respondent. Mr. Benito replied.
Cause submitted.

Court recessed at 9:26 a.m. to change panel members.

New panel members: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Patricia Benke and James McIntyre

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

September 16, 2010 (Continued)

D055390 Cochran v. El Cajon Motors

Cause called on merits. Audrey Powers Thornton, Esq. argued for appellant. Steven Boehmer, Esq. argued for respondent. Ms. Thornton replied. Cause submitted.

Court recessed at 9:42 a.m. to change panel members.

New panel members: The Honorable Judith McConnell, Presiding Justice, and
The Honorable Associate Justices James McIntyre and Cynthia Aaron

D055018 Mepco Services, Inc. v. Saddleback Valley Unified School District

Cause called on merits. Mark W. Waterman, Esq. argued for appellant. Anna Maria Carno, Esq. argued for respondent. Mr. Waterman replied. Cause submitted.

Court recessed at 10:38 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Richard Huffman, Acting Presiding Justice and
The Honorable Associate Justices Alex McDonald and Terry O'Rourke

Clerk: D. Moore

D055576 In re M. M., a Juvenile

Cause called on merits. Conrad Herring, Esq. argued for appellant. Scott Taylor, Deputy Attorney General, argued for respondent. Mr. Herring replied. Cause submitted.

Court recessed at 1:46 p.m. to change panel members.

New panel members: The Honorable Alex McDonald, Acting Presiding Justice, and
The Honorable Associate Justices Terry O'Rourke and Joan Irion

D054491 People v. Taeotui

Cause called on merits. Steven Schorr, Esq. argued for appellant. Heather Crawford, Deputy Attorney General, argued for respondent. Mr. Schorr replied. Cause submitted.

D055892 People v. Zane

Cause called on merits. Allison K. Simkin, Esq. argued for appellant. James Henry Flaherty, Deputy Attorney General, argued for respondent. Ms. Simkin replied. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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September 16, 2010 (Continued)

Court recessed at 2:20 p.m. to change panel members.

New panel members: The Honorable Alex McDonald, Acting Presiding Justice, and
The Honorable Associate Justices Terry O'Rourke and Cynthia Aaron

D055470 Agosto v. Board of Trustees of the Grossmont-Cuyamaca Community College District

Cause called on merits. Martha A. Torgow, Esq. argued for appellant.
Jack M. Sleeth, Esq. argued for respondent. Mr. Torgow replied. Cause submitted.

Court recessed at 2:56 p.m. until Friday, September 17, 2010 at 9:00 a.m.

D058146 Stauffer v. Superior Court of San Diego County/Stauffer

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 17, 2010

D057201 People v. Anguiano

We reverse the sentences on the three counts of attempted murder (counts 2, 3, and 4), and remand for the court to resentence Anguiano to a determinate term for these crimes. We also direct the court to clarify the sentence for the gang enhancements (see 186.22, subd. (b)) on the amended abstract of judgment. In all other respects, we affirm the judgment.

Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D055374 People v. McKiernan

We affirm the judgment. Nares, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D056483 In re J.F., a Juvenile

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., Aaron, J.

D056329 Havins v. Miranda

The judgment is affirmed. Costs are awarded to respondent.

Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D055158 People v. Marin

The concurrent sentences imposed on counts 4 through 7 are vacated and the trial court is directed to stay those sentences pursuant to section 654 and to amend the abstract of judgment accordingly, and forward the amended abstract to the California Department of Corrections and Rehabilitation. In all other respects the judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

D056278 People v. Martinez

The judgment is affirmed. Aaron, J.; We Concur: McIntyre, Acting P.J., Irion, J.

D056972 Center for Biological Diversity et al. v. County of San Bernardino/Hawarden Development Company

The order is reversed. The trial court is directed to hold further proceedings on attorney fees in accordance with this opinion, and for its determination of the amount of an award to Plaintiffs for Hawarden II. Plaintiffs are also entitled to costs on appeal. McConnell, P.J.; We Concur: Haller, J., Irion, J.

D055263 People v. Wright

The judgment is affirmed. O'Rourke, J.; We Concur: Haller, Acting P.J., Irion, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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DIVISION ONE

September 17, 2010 (Continued)

D057247 In re J.E., a Juvenile

Upon filing an abandonment of appeal, personally signed by both defendants, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

D056015 Raymond v. Wrobel et al.

The orders are affirmed. Raymond shall recover her costs on appeal.
O'Rourke, J.; We Concur: Nares, Acting P.J., McDonald, J.

Court convened at 9:00 a.m.

Present: The Honorable Richard Huffman, Acting Presiding Justice, and
 The Honorable Associate Justices Gilbert Nares and Cynthia Aaron
Clerk: D. Moore

D055701 People v. Aranda

Cause called on merits. William J. Capriola, Esq. argued for appellant.
Christopher Beesley, Deputy Attorney General, argued for respondent.
Cause submitted.

D056696 In re A.N., a Juvenile

Cause called on merits. Mitchell Keiter, Esq. argued for appellant.
William Henry Hook, Esq. was present in oral argument for the minor, and
submitted on the briefs. Gary Seiser, Deputy County Counsel, argued for
respondent. Mr. Keiter replied. Cause submitted.

Court recessed at 9:36 a.m. to change panel members.

New panel members: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Terry O'Rourke and Cynthia Aaron

D056016 Rabanne v. Valencia et al.

Cause called on merits. Douglas Davis Winter, Esq. argued for appellant.
Joseph Peter Costa, Esq. argued for respondent. Mr. Winter replied.
Cause submitted.

Court recessed at 9:53 a.m. to change panel members.

New panel members: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Gilbert Nares and Terry O'Rourke

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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September 17, 2010 (Continued)

D053520 People v. Ruiz et al.

Cause called on merits. Doris S. Frizzell, Esq. argued for appellant, Ruiz.
Marianne Harguindeguy, Esq. argued for appellant, Diaz.
Kristen Kinnaird Chenelia, Deputy Attorney General, argued for respondent.
Cause submitted.

Court recessed at 10:15 a.m. to change panel members.

New panel members: The Honorable Gilbert Nares, Acting Presiding Justice, and
 The Honorable Associate Justices Terry O'Rourke and Cynthia Aaron

D055441 Blumenfeld v. Qualcomm, Inc.

Cause called on merits. Jon R. Williams, Esq. argued for appellant.
Michael C. Sullivan, Esq. argued for respondent. Mr. Williams replied.
Cause submitted.

Court recessed at 10:43 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Patricia Benke, Acting Presiding Justice, and
 The Honorable Associate Justices Gilbert Nares and James McIntyre

Clerk: D. Moore

D055945 Brogdon Properties, Inc., et al. v. City of Oceanside et al.

Cause called on merits. Joshua Kaplan, Esq. argued for appellant, telephonically.
Tarquin Preziosi, Deputy City Attorney, argued for respondent. Cause submitted.

Court recessed at 1:41 p.m. to change panel members.

New panel members: The Honorable Patricia Benke, Acting Presiding Justice, and
 The Honorable Associate Justices Gilbert Nares and Joan Irion

D055109 Sviridov v. San Diego City Civil Service Commission/City of San Diego et al.

Cause called on merits. Robert T. Geile, Esq. argued for appellant.
Joe B. Cordileone, Deputy City Attorney, argued for respondent.
Keith Phillips, Esq. argued for respondent. Mr. Geile replied. Cause submitted.

Court recessed at 2:24 p.m. to change panel members.

New panel members: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices James McIntyre and Joan Irion

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
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D055157 Reynolds v. City of San Diego

Cause called on merits. Michael J. Radford, Esq. argued for appellant.
Michael James McGowan, Esq. argued for respondent. Mr. Radford replied.
Cause submitted.

Court adjourned at 2:49 p.m.